

ENTERED

August 24, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISIONThe STATE OF TEXAS; and the
STATE OF LOUISIANA,

Plaintiffs,

v.

Civil Action No. 6:21-cv-00016

The UNITED STATES OF AMERICA;
ALEJANDRO MAYORKAS, Secretary
of The United States Department of
Homeland Security, in his official
capacity; UNITED STATES
DEPARTMENT OF HOMELAND
SECURITY; TROY MILLER, Senior
Official Performing the Duties of the
Commissioner of U.S. Customs
and Border Protection, in his official
capacity; U.S. CUSTOMS AND BORDER
PROTECTION; TAE JOHNSON, Acting
Director of U.S. Immigration and
Customs Enforcement, in his official
capacity; U.S. IMMIGRATION AND
CUSTOMS ENFORCEMENT; TRACY
RENAUD, Senior Official Performing the
Duties of the Director of the U.S.
Citizenship and Immigration Services,
in her official capacity; and U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES,

Defendants.

ORDER

The Court is modifying the reporting requirements listed at the end of the August 19, 2021 Memorandum Opinion and Order in light of the request made by the Defendants at a hearing held on Monday, August 23, 2021. *See* (Dkt. No. 79 at 158–59); (Dkt. No. 80).

During that hearing, the Court clarified that the reporting requirements are not injunctive relief. *See* (Dkt. No. 79 at 156 n.61, 158–59); (Dkt. No. 90 at 2). Rather, the reporting requirements are a case-management tool intended to both monitor compliance with the preliminary injunction and aid the Court in making a final determination at trial. (Dkt. No. 90 at 2–4).

At the hearing, counsel for the Defendants requested certain modifications to the reporting requirements. Counsel further requested leave to offer additional modifications after consulting with his clients. Specifically, the Defendants requested an extension of time to comply with the four reporting requirements and clarification as to whether the reporting deadlines include weekends and federal holidays. *See* (Dkt. No. 79 at 158–59). The Parties then agreed to a one-month extension of the reporting requirements, which the Court granted. The Court also clarified that any reporting deadline that falls on a weekend or legal holiday is moved to the first federal court business day following that weekend or legal holiday. *See generally* Fed. R. Civ. P. 6.


It is therefore **ORDERED** that the deadlines to comply with the reporting requirements in the August 19, 2021 Memorandum Opinion and Order, (Dkt. No. 79 at 158–59), do not begin until October 2021.

It is further **ORDERED** that any deadline to comply with the reporting requirements in the August 19, 2021 Memorandum Opinion and Order, (Dkt. No. 79 at 158–59), that falls on a weekend or legal holiday is moved to the first federal court business day following that weekend or legal holiday.

The Court **GRANTS** the Defendants' request to file additional proposed substantive revisions to the reporting requirements after conferring with the Plaintiffs. The Court requests that those proposed revisions be filed no later than September 1, 2021.

It is SO ORDERED.

Signed on August 23, 2021.


DREW B. TIPTON
UNITED STATES DISTRICT JUDGE